

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Telephone Number Portability)	CC Docket No. 95-116
)	
Numbering Resource Optimization)	CC Docket No. 99-200

ORDER

Adopted: August 29, 2017

Released: August 29, 2017

By the Chief, Wireline Competition Bureau:

1. On Friday, August 25, 2017, Hurricane Harvey struck the Gulf Coast of the United States, causing significant damage in the state of Texas. Hurricane Harvey has caused massive flooding in some areas of the State, resulting in significant property damage and personal injury. It has also caused substantial service disruptions and outages in telephone service in Texas and is expected to impact Louisiana in the next several days.¹ For these reasons, on our own motion, we are granting a temporary waiver of the Commission's numbering rules to allow carriers in the states of Texas and Louisiana, and the numbering administrators that support them, to port telephone numbers geographically outside of rate centers during this period of service disruption.

2. Pursuant to the Commission's plenary jurisdiction over numbering matters,² the Commission has adopted numbering rules and policies designed to ensure that carriers have access to numbering resources when needed to serve customers.³ Among other things, the Commission's numbering rules require certain types of carriers to offer local number portability ("LNP").⁴ The Commission's number portability rules, however, do not extend to *location* or *service* portability.⁵ However, due to the substantial damage to telecommunications systems caused by Hurricane Harvey in Texas, and the expected impact in Louisiana, carriers may need to port numbers to destinations outside the affected rate centers. Section 1.3 of our rules authorizes the Commission to suspend, revoke, amend, or waive a Commission rule for good cause shown.⁶ We recognize that telecommunications service must

¹ President Donald J. Trump Approves Major Disaster Declaration for Texas, <https://www.fema.gov/news-release/2017/08/25/president-donald-j-trump-approves-major-disaster-declaration-texas>; President Donald J. Trump Signs Emergency Declaration for Louisiana, <https://www.fema.gov/news-release/2017/08/28/president-donald-j-trump-signs-emergency-declaration-louisiana>

² See 47 U.S.C. § 251(e)(1).

³ See generally 47 CFR §§ 52.15 *et seq.*

⁴ See 47 CFR §§ 52.23, 52.31.

⁵ See *Telephone Number Portability*, CC Docket No. 95-116, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 8352, 8447, para. 181 (1996). See also *Telephone Number Portability*, CC Docket No. 95-116, Memorandum Opinion and Order and Further Notice of Proposed Rulemaking, 18 FCC Rcd 23697, 23706, para. 22 (2003).

⁶ 47 CFR § 1.3. This rule provides that "[a]ny provision of the rules may be waived by the Commission on its own motion or on petition if good cause therefore is shown." *Id.*

be restored to the hurricane victims as quickly as possible, and we find that waiver of the Commission's local number portability and number assignment rules is a reasonable and practical means for doing so. Accordingly, we find that due to this natural disaster, good cause exists for waiving these rules and that such waiver is in the public interest.⁷

3. We therefore waive the Commission's local number portability and number assignment rules to the extent necessary to permit carriers to port customers' numbers to remote locations, on a temporary basis. This waiver applies to carriers to the extent that they provide service in the states of Texas and Louisiana, or to carriers assisting affected carriers in their efforts to continue or restore service. This waiver also applies to the numbering administrators, to the extent necessary to support carriers in the affected areas. The waiver is in effect retroactively beginning August 28, 2017, for ninety days, until November 26, 2017. If carriers are unable to resume service on a normal basis in areas affected by Hurricane Harvey after this time period has elapsed, they should request additional relief from the Wireline Competition Bureau.

4. Accordingly, IT IS ORDERED, pursuant to sections 4(i), 251(b)(2), and 251(e) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 251(b)(2) and 251(e), and sections 0.291 and 1.3 of the Commission's rules, 47 CFR §§ 0.291, 1.3, that our local number portability and number assignment rules, contained in part 52 of the Commission's rules, are waived to the extent herein described.

FEDERAL COMMUNICATIONS COMMISSION

Kris A. Monteith
Chief
Wireline Competition Bureau